## UNITED STATES DISTRICT COURT WESTERN DISTRICT OF NORTH CAROLINA ASHEVILLE DIVISION DOCKET NO. 1:16-cv-00050-MOC

MICHAEL D. HYATT,	)	
Plaintiff,	)	
v.	)	ORDER
CAROLYN W. COLVIN, Acting Commissioner of Social Security	) ) )	
Defendant.	)	

**THIS MATTER** is before the court on the defendant's Consent Motion for Reversal and Remand (#12). The court notes that the motion is unopposed. Having considered the motion and reviewed the pleadings, the court enters the following Order.

Pursuant to sentence four of 42 U.S.C. § 405(g), the court has the authority to "enter, upon pleadings and transcript of the record, a judgment affirming, modifying, or reversing the decision of the Commissioner, with or without remanding the cause for a rehearing." The court does so here upon the defendant's motion. The case will be reversed and remanded for further administrative proceedings, including the opportunity for a new hearing. See Melkonyan v. Sullivan, 501 U.S. 89 (1991).

## **ORDER**

IT IS, THEREFORE, ORDERED that Consent Motion for Reversal and Remand (#12) is **GRANTED**. The Commissioner's decision in this case is, hereby, **REVERSED** and the case

is **REMANDED** to the Commissioner for further proceedings, including the opportunity for a new hearing.

Signed: September 30, 2016

Max O. Cogburn Jr

United States District Judge

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